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WHAT SHOULD WE SACRIFICE TO UNIFORMITY?

BY MRS. FLORENCE KELLEY.

Nine years ago the General Federation of Women's Clubs discussed child labor and the relation to the children themselves of women, who clothe themselves so largely in the products of the work of children.

Miss Jane Addams suggested that instead of passing resolutions, and feeling very badly and then going home and acting exactly as before, we lay before the women of this country a brief summary of the law of each state, so simple that everyone could see if there were any states which had no legislation, and which states came nearest to having no legislation, and which states, perhaps, had laws that looked like good ones but could not be enforced, and which states had the best laws.

In that year the National Consumers' League condensed into a little four-page pamphlet a summary of what the states had done to protect children who work, hoping that those which had done the least might move forward more rapidly than they had done when there was no standard by which to measure progress. The blacklist of states which had no legislation was surprisingly large. The next year, we expanded that little statement, and the list of states which had no legislation had already shrunk. One or two had even in the first twelve months, in part through the exertions of the women's clubs, passed their first child labor laws.

Then the Consumers' League regularly set up a standard law and asked all the states to approach that; we put into our standard law all the best provisions of all the best statutes then in force. But it has proved to be a standard only in the way that a yard stick, or a foot rule, or a quart measure is a standard. We have been able to measure progress by it, but progress away from it has been much more rapid than progress toward it. At that time no one foresaw that in the year 1911 we should be further away after nine years' effort from having a uniform law than we were in 1902 or 1903.

The stimulus did not work towards uniformity as we had expected; it worked in the opposite way. It showed the friends of the children in the most advanced states how far from ideal was the most advanced legislation that we already had; and the net result of the publication of hundreds of thousands of copies of that standard law is that we have less uniformity to-day than we had in 1903. I venture, although not a prophet nor the son of a prophet, to foretell that Mr. Stovall will spend the next fifteen years in moving his uniform law up because, for instance, while it has been under discussion, the state of Texas has taken a flying leap, and instead of establishing fourteen years as the age limit, has provided that children under seventeen years shall not work underground, and children under fifteen years shall not work in mills.

Those states which had previously done the most went actively ahead, and laggard states lagged as before. There is a greater divergence between the legislation of Georgia and Montana and Ohio now than there was nine years ago between the states which had no legislation and those which had the best; because those which have very little industry calling for children have gone forward by leaps and bounds. It is, perhaps, not surprising that the state with the most sweeping provision that no child below the age of sixteen years shall be employed in any gainful occupation is Montana, which has no occasion for employing children except as telegraph and messenger boys, and is subject, therefore, to less temptation than any of the rest of us.

Next best, perhaps, after Montana comes a great industrial state; and when we are asked to consider at one of the sessions of this conference, "What shall we sacrifice for the sake of uniformity?" I am certain that no one will suggest sacrificing any excellent provision in force for the children of Ohio. In Ohio after six o'clock at night no girl under eighteen years old, and no boy under sixteen, can be employed in any gainful occupation. If we take down the receiver of a telephone in Cleveland or Cincinnati at night, it is not a young girl's voice that answers any more than it would be in New Orleans. Louisiana and Ohio share, I believe, alone the honor due to their humane provision that all night work, to which elsewhere we are so cruelly accustomed, shall be done not by young girls, not by any young person—a boy

under sixteen or a girl under eighteen years old—but by older people who do not suffer so cruelly from the loss of sleep. And no industry has left Ohio because of that provision. Surely, none of us for the sake of having girls answer the telephone (and perhaps having a few pennies less to pay in our monthly telephone bills, or a few dollars more dividends annually from telephone stocks or bonds) would lower the standard of Montana, Louisiana and Ohio towards uniformity on a meaner level. Nor would any of us suggest to Montana a backward step for the sake of uniformity, before she develops her wonderful water power, before temptation comes to her thereby. It would be sad indeed if, at any time when it was proposed to enact a far-reaching bill in any state, our efforts to bring up the laggards should be cited as a reason for discouraging those who are eager to go forward.

It is an idiosyncrasy of our American citizenship which we have to reckon with, that the citizens of every state like to have some particular excellence that distinguishes them from the citizens of any other state. It appears to give more satisfaction to a legislature to enact one feature of a law or a code which goes a little farther than any other law or code, than to remedy the worst thing in their law. That is, perhaps, because the worst thing in the law appears to be profitable to some powerful interest. Certainly, to-day lagging is due not to apathy, not to lack of interest of citizens, but to the extraordinarily efficient efforts of employers who believe it direct advantage to the profits of their industry that the proposed step should not be taken.

This is exemplified in the night work of boys in the glass industry in Maryland, West Virginia and Pennsylvania. Most efficient lobbies appeared before the legislatures to prevent all those laggard states from going forward in the matter of the employment of children at night. It is not accident, it is not neglect or apathy that keeps belated legislation from being brought up to the standard.

New Jersey and Indiana have just banished boys from their glass houses at night. Ohio did that years ago. Illinois did it in 1903. We do not wish those states to go back to the old cruelty of sleepless childhood for the sake of uniformity on the cruel level of West Virginia and Maryland, where children work in glass works throughout the night without breaking any law.

New York, our sinful metropolis, adopted last year a law

providing that no boy under twenty-one years old may be employed between ten at night and five in the morning in the delivery of messages and merchandise. That stops the worst Christmas cruelties, so far as delivery boys are concerned. It checks the demoralization of boys in the all-year-around service of the telegraph companies. Surely, we do not want uniformity by leveling down that hard-earned law to let boys into the messenger service at dead of night at sixteen, or at fifteen, or at fourteen years.

I think we shall have, by 1920, universally the prohibition of the employment of children under sixteen years of age at night and in dangerous occupations. I think we shall then have a new definition of the dangerous occupations. We are, for example, only beginning to realize that, if a child is sitting at work comfortably in a place well lighted and ventilated, and working relatively short hours—nine or eight hours—it may still be in the process of becoming entirely incapacitated for industrial usefulness later on by the mere single incident that that industry requires great speed. A healthy girl fourteen years of age, comfortably seated at work, with good light and good air, and not working more than eight hours a day, may still be efficiently worn out in a year by watching a sewing machine with twenty needles, each setting 3,300 stitches in a minute throughout the eight hours of the days of that year. I have no doubt that by 1920 we shall recognize a highly speeded multiple-needle sewing machine as constituting for the girl who works at it one of the dangerous occupations.

When the standard child labor law was drafted, that idea had never occurred to me, though I had been looking at those needles for years. But I have lived among the children; I have seen what speeding does to them; and I am convinced that, though we may keep the same age-limits for dangerous occupations, we shall, from year to year, put entirely new meanings into the word "danger." And we shall be demanding uniformity in the freedom from danger at no matter what sacrifice of profit.

Everyone here would agree that it is better for employers to have a uniform pressure of competition and not have ten-years old children working in one state in competition with those of twelve and fourteen and fifteen years in other states; it is better for children to spend their youth in school and at play, and to have leisure in the South as well as in Montana. But we do not wish to

arrive at uniformity by sacrificing what has been gained for the children. We do not want to sacrifice them, whatever else we sacrifice.

In New York City this winter we are getting a searching object lesson concerning sacrifice. Three attractive operas are being given for the purpose of testing the conscience of the people. We are asked to approve our present law, which makes it legal to have on the stage a babe in arms, or a little toddling child of two, a self-conscious boy of seven, or any delicate child at any age—the more talented the greater the temptation to have it on the stage. We are asked in the name of the children themselves to disapprove the law of Louisiana, of Massachusetts, of Illinois, and of Oregon, which humanely provides that children under fourteen years old shall not appear on the stage at night, and to approve our cruel New York statute, which authorizes our mayors to permit the employment of any child, at any age, on any stage in their discretion. Mayor Gaynor has within ten days signed the approval of employment of a child of four years upon the stage at night.

Our friends—the owners and managers, the singers and actors—of the theatre and the opera are testing our consciences by giving us beautiful plays and operas—"Koenigskinder," that charming little play, "Peter Pan" and "The Blue Bird," Maeterlinck's alleged masterpiece. All these we are told will be forever banished from our American stage, unless we concede that we care more for them than we do for the health, or the morals, or the safety, or the welfare, or the education of the rank and file of the theatre children. It is one thing to have a few selected, coddled and pampered alleged young geniuses performing at the Metropolitan, under conditions of extraordinary luxury and good care; and it is an entirely different thing to have hundreds of children trailing about the country in stock companies, making one night stands hither and yonder, while other thousands, scattered in every direction over the country, are playing in vaudeville and in connection with the moving pictures. Yet we cannot have the pampered prodigies and forbid the others.

We are asked the question, "What are you willing to sacrifice for uniform legislation?" The enlightened states, Massachusetts, Illinois, Louisiana, Ohio and Oregon have banished children from the stage. That is the reason Miss Jane Addams is not here to-

might filling the place which I am only trying to fill. She is in Springfield, Illinois, striving to save against the efforts of the combined manufacturers' association and theatre trust—against that united and powerful influence—the law which banishes young children from the stage in Chicago.

We are asked, "Are you willing to give up three beautiful operas and the one play of Shakespeare which cannot be rendered without a child, to have only such dramas involving children as can be carried through with midgets, with diminutive children, with children who are sixteen years old, but can by skilful dressing be made to appear younger?"

I am sorry to say that a large part, even of our philanthropic community, are not yet willing to sacrifice that form of recreation; are not ready to protect the talent or the genius of the babe—of the child—until its intelligence, and its health are established. I am convinced that everyone in this audience would rather live and die without the satisfaction afforded by the drama, than take upon his conscience the blighted life of one such unhappy little girl as Miss Jean Gordon has described to us. I am an old woman, a grandmother; I have lived happily without all these charming productions.

We can no longer be browbeaten by the threat that the drama will perish and art will leave our shores. The cotton industry tried that threat in England in 1802. The fruit and vegetable canneries have tried it in New York for eight years. The glass industry has tried it in Illinois, Ohio, Indiana and New Jersey.

The challenge has been accepted. Laws have been passed. Children have been freed. Industry has neither suffered nor gone. It has thriven and stayed. We know that art and the drama rest on surer foundations than the efforts of children below the age of fourteen years!

The people of every state get their conscience tested sooner or later by being confronted with this direct question: "You say you disapprove of child labor; is it in Japan that you disapprove of it, or in Massachusetts, or in California; is it everywhere else except where you live?"

"What are you willing to sacrifice for the sake of freeing the children, giving them their childhood in school and at play? Will you give up some of your gilt-edge securities? Will you have a

little of the gilt edge pared off those securities? Will you give up your willow plumes and your cheaper artificial flowers and your favorite recreations?"

Is it solely a matter of dividends? Not by any means! It is largely a matter of our thoughtless and selfish enjoyment of goods which we mistakenly believe we get more cheaply, of recreations which we think we cannot have on any other terms than those of employing children. It is by no means only a question of change in the payroll in certain corporations; it is a question of sacrifice by us all for the sake of the best legislation uniformly enacted and enforced throughout the country; it is a question which everyone of us has to answer if we really care about the children.